

REMARKS

Claim Rejections

Claims 1-2 and 4 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Luu et al. (6,691,213) in view of Han et al. (2005/0015652). Claims 5-6 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Luu et al. in view of Han et al. further in view of Yamamoto et al. (6,532,513).

Arguments

Applicant traverses the Examiner's rejections based on the arguments that follow.

Applicant's claims are directed toward a method for data security with lock in a hard disk and a solid state disk, comprising the following steps: partitioning a single disk drive into a plurality of disk zones; ***including a user zone, a ROM zone, and a protect zone***; providing a plurality of registers for indicating a record of a size of each of the plurality of disk zones; utilizing a mathematical operation for treating a user input data and a register data; and assigning one of two ***different passwords*** to each of the ROM zone and the protect zone utilizing a password operation mode utilizing the mathematical operation with the user input data and the register data, wherein the user zone is configured to allow a user to execute all ATA commands and the protect zone is configured to prevent a user from reading or writing.

Luu et al. teach a computer system including a host computer with a native drive-access routine having a limited address range, and a disk drive with a protected area that is inaccessible to a user's preferred operating system. The protected area also lies beyond the limited address range. The Examiner has cited col. 3, ll. 30-50, col. 2, ll. 39-64, and Figs 2-3 as teaching Applicant's three recited zones, i.e., a user zone, a ROM zone, and a protect zone. In doing so, the Examiner has stated on p. 3 of the outstanding Office Action that col. 2, l. 39 teaches a "user area and/or ***user's unlimited access to the area.***" However, Applicant has reviewed col. 2, l. 39 and notes that the cited text only teaches a "user area 18." The reference fails to teach anything about "***user's unlimited access to the area.***" It follows that the Examiner cannot assume that just because an area

is accessible to a user, then such access is by definition unlimited. Instead, the Examiner must provide a specific teaching from the art which teaches or suggests "the user zone is configured to allow a user to execute all ATA commands." Claim 1. Furthermore, as admitted by the Examiner on p. 3 of the outstanding Office Action, Luu et al. fails to teach assigning different passwords to the ROM zone and the protected zone.

Han et al. is cited as providing this admitted deficiency. Namely, the Examiner has cited the last 3 lines of [0045], the abstract, and Figs. 2-3 of Han et al. as teaching assigning two different passwords to the ROM and protect zones. In response, Applicant notes that the disclosure of multiple "passwords" in no way teaches or suggests that different passwords are respectively assigned to two different partitions. For example, a plurality of passwords may allow access to a single partition. Furthermore, [0045] also fails to teach assigning different passwords to Applicant's respective recited zones, i.e., a ROM zone and a protected zone. The reference also fails to teach "a user zone is configured to allow a user to execute all ATA commands" as recited in Applicant's claim 1. *Emphasis added*.

The secondary reference to Yamamoto et al. is cited as teaching a plurality of registers for indicating a record of a size of each of the plurality of disk zones. The cited text from Yamamoto et al., col. 12, l. 54- col. 13, l. 15, does not teach anything about partitioning a disk drive into a user zone in combination with a protect zone and/or a ROM zone.

It follows that even if the teachings of Luu et al., Han et al., and Yamamoto et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a method for data security with lock in a hard disk and a solid state disk, comprising the following steps: partitioning a single disk drive into a plurality of disk zones; including a user zone, a ROM zone, and a protect zone; providing a plurality of registers for indicating a record of a size of each of the plurality of disk zones; utilizing a mathematical operation for treating a user input data and a register data; and assigning one of two different passwords to each of the ROM zone and the protect zone utilizing a password operation mode utilizing the mathematical operation with the user input data and the register data, wherein the

user zone is configured to allow a user to execute all ATA commands and the protect zone is configured to prevent a user from reading or writing.

Furthermore, Applicant submits that, even if the Examiner is able to provide teachings providing each and every feature recited in Applicant's claims, there is not adequate suggestion in either Luu et al., Han et al., or Yamamoto et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

In considering the above, the Examiner is respectfully reminded that in In re Geiger, 815 F.2d 686, 688, 2 USPQ2d, 1276, 1278 (Fed.Cir. 1987) the court stated, at page 1278: "**Obvious to try**" is not a legitimate test of patentability. *Emphasis added*. Furthermore, in In re Wesslau, 147 U.S.P.Q. 391, 393 (CCPA 1965), the court ruled that "[t]he ever present question in cases within the ambit of 35 U.S.C. 103 is whether the subject matter as a whole would have been obvious to one of ordinary skill in the art following the **teachings** of the prior art at the time the invention was made. It is impermissible with the framework of section 103 to **pick and choose** from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art." (emphasis in original)

In view of the above, Applicant respectfully submits that, even if the Examiner is able to present references teaching each and every element of Applicant's claims (e.g., a password which enables all ATA commands or assigning 2 different passwords to the ROM and protect zone of Applicant's 3 defined zones), the Examiner has not provided a specific motivation from the art sufficient to motivate the skilled artisan to selectively cull certain features from three different references, while ignoring others features inconsistent with Applicant's invention, to arrive at Applicant's recited method. To do so requires more than noting on p. 4 of the outstanding Office Action that the cited references are "analogous in storage protection" or that a password would further protect the data in Luu et al. Furthermore, Applicant notes that the Examiner has not shown why the skilled artisan would be motivated to apply Han et al.'s **data back-up and recovery**

system, to Luu et al.'s **protected partition system**, in general, much less providing a specific motivation that would lead the skilled artisan to arrive at Applicant's recited method. As noted above, "obvious to try" is not the applicable standard.

Neither Luu et al., Han et al., nor Yamamoto et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed method. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's pending claims.

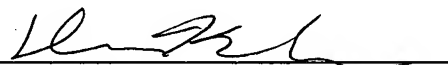
Summary

In view of the foregoing remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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